



Legislative Update December 2008

ITEM 4
DRAFT

Final Action on Legislation

The State Legislature adjourned the 2007–2008 regular session on September 19, 2008. After its September 2008 meeting, the Commission was tracking 18 bills that reflected Commission priorities. Of these bills, 13 were passed and sent to Governor Schwarzenegger. The Governor signed eight of these.

The final dispositions of the bills are shown on page 7. The Governor cited the budget deficit in many of his veto messages, noting that the state's fiscal situation prevented many good bills from being signed into law. The Governor signed roughly 75% and vetoed 25% of the bills reaching his desk during the 2007–2008 legislative session.

Access

SB 890 (Scott), as amended August 8, 2008

Commission Position – Watch

This bill establishes the Early College Commitment Program to be administered by the Superintendent of Public Instruction. This bill was signed into law by the Governor on September 28, 2008.

Affordability

AB 2261 (Ruskin), as amended August 18, 2008

Commission Position – Support

This bill authorizes the California Community Colleges Board of Governors to create a competitive grant program for faculty and staff to develop centers for “open education resources.” This bill was signed into law by the Governor on September 30, 2008.

Performance Assessment

SB 325 (Scott), as amended August 15, 2008

Commission Position – Support

This bill requires the state to establish an accountability framework for public and independent postsecondary education systems, and designates CPEC as the repository of data for the framework.

This bill was vetoed by the Governor with the following message:

I am returning Senate Bill 325 without my signature. While I respect the author's intent to establish a statewide system of accountability for postsecondary education and a framework to assess the collective contribution of California's institutions of higher education toward meeting statewide economic and educational goals, this bill falls short in providing any framework for incentives or consequences that would modify behavior to meet any policy objectives. I believe our public education systems should be held accountable for achieving results, including our higher education segments, and would consider a measure in the future that provides adequate mechanisms that will effectuate tangible gains in student outcomes and operational efficiencies. For these reasons, I cannot support SB 325 in its current form.

SB 361 (Scott), as amended June 26, 2008

Commission Position – Support

This bill deletes CPEC activities that have been replaced with more relevant and purposeful work, and frees resources for higher priority work. This bill was signed into law by the Governor on September 28, 2008.

Private Postsecondary Education

SB 823 (Perata), as amended August 13, 2008

Commission Position – Watch

This bill reestablishes state regulation of private postsecondary schools by a bureau within the Department of Consumer Affairs and rewrites provisions of the now-expired Private Postsecondary and Vocational Education Reform Act of 1989 into the Private Postsecondary Education Act of 2008.

This bill was vetoed by the Governor with the following message:

I am returning Senate Bill 823 without my signature. This bill would establish the California Private Postsecondary Education Act of 2008 (Act), which would create the Bureau for Private Postsecondary Education (Bureau) within the Department of Consumer Affairs (DCA) to regulate private postsecondary educational institutions in California and establish various requirements, prohibitions, and standards for these institutions. I have repeatedly stated that a reform act must be written clearly, should not be subject to varied interpretations, should treat schools as uniformly as possible, and provide reasonable roles and responsibilities for the Bureau. Our collective objective should be to successfully strike a balance between protecting students, while being firm, yet fair to schools. Unfortunately, this bill does not meet those goals. Instead, this bill would create a statute that would be a challenge to successfully implement. If a statute is not clearly drafted, reasonably enforceable, or easily understandable to students, schools, and regulators, no one is well served. Though I am vetoing this bill, I am directing the Department of Consumer Affairs to continue its efforts to educate students about their rights and responsibilities, and to encourage schools to provide students with meaningful disclosures and engage in sound business practices. I am also encouraging the DCA Director to use her existing authority to investigate complaints from students and schools. I encourage the Legislature to pass a bill early in the next session that proposes a regulatory framework that can be successful. For these reasons, I am unable to sign this bill.

Segmental Mission and Functions

AB 1821 (Brownley), as amended August 18, 2008

Commission Position – Support

The bill deletes and restructures some higher education reporting requirements.

This bill was vetoed by the Governor with the following message:

I am returning Assembly Bill 1821 without my signature. While the intent to streamline reporting requirements for the higher education segments is a laudable goal, I understand this bill contains a drafting error. Furthermore, as currently drafted, this bill would likely result in significant state reimbursable mandated costs on the Community Colleges. I would be willing to sign a bill in the next session that addresses these concerns and directing my Department of Finance to work with the appropriate Legislative staff to this end. For these reasons, I am unable to sign this bill.

SB 1437 (Padilla), as amended August 20, 2008

Commission Position – Support

This bill would, pursuant to funding provided to the Board of Governors of the California Community Colleges, authorize the California Virtual Campus to pursue specified purposes relating to education technology to the extent funding is available.

This bill was signed into law by the Governor on September 30, 2008.

SB 1585 (Padilla), as amended August 8, 2008

Commission Position – Support

The bill establishes a voluntary five-year pilot program for up to ten community colleges to increase transfer to UC and CSU.

This bill was vetoed by the Governor with the following message:

I am returning Senate Bill 1585 without my signature. While I appreciate the intent to increase transfer rates of basic skills students from the community colleges to the four-year segments of higher education, significant funding has been provided to the community colleges for basic skills students, the University of California for cooperative transfer out reach with community colleges, and other programs for the purpose of enhancing transfer success. Given the efforts to resolve the current budget deficit, it is not advisable to create new programs when existing resources are already being directed to meet the objective. For these reasons, I am unable to sign this bill.

Student Fees and Financial Aid

AB 2260 (Higher Education Committee), as amended June 9, 2008

Commission Position – Support

This bill clarifies that students in the Competitive Cal Grant B award program may use a college GPA in lieu of a high school GPA. This bill was signed into law by the Governor on August 1, 2008.

SB 1158 (Scott), as amended July 3, 2008

Commission Position – Support

This bill provides loan forgiveness under Assumption Program of Loans for Education (APLE) to credentialed teachers who teach at public schools in the lowest 20 percent of API rankings. This bill was signed into law by the Governor on September 28, 2008.

SB 1301 (Cedillo), as amended May 6, 2008

Commission Position – Support

This bill requires public postsecondary education systems to establish procedures to make undocumented students eligible for resident tuition under provisions of AB 540 (Firebaugh, Chapter 814, Statutes of 2001) also eligible for institutional financial aid.

This bill was vetoed by the Governor with the following message:

I am returning Senate Bill 1301 without my signature. I share the author's goal of making affordable education available to all California students, but given the precarious fiscal condition the state faces at this time, it would not be prudent to place additional demands on our limited financial aid resources as specified in this bill. For this reason, I am unable to sign this bill.

SB 1355 (Corbett), as amended July 15, 2008

Commission Position – Support and sponsor

This bill requires public and independent postsecondary institutions to provide prospective students with information on the differences between private student loans.

This bill was vetoed by the Governor with the following message:

I am returning Senate Bill 1355 without my signature. This bill would require public and private postsecondary education institutions to disclose specified information regarding the terms of private loans and federal loans in specified financial aid materials. However, recently enacted federal legislation (H.R. 4137) makes changes to the Federal Family Education Loan program, requiring more comprehensive lender disclosures and consumer education of students and families than this bill, particularly as budgeting and financial management relates to student loan programs. The federal legislation also imposes new restrictions on private lenders and education institutions in order to address concerns related to unfair lending practices and conflicts of interest. Therefore, given the comprehensive nature of the federal reforms recently enacted, I am unable to sign this bill at this time.

SB 1457 (Steinberg), as amended August 4, 2008

Commission Position – Support

This bill creates the California Scholarshare Advancement Vehicle for Education program to fund scholarship accounts for beneficiaries as determined by the Scholarshare Investment Board. This bill was signed into law by the Governor on September 28, 2008.

SB 1621 (Ashburn), as amended May 28, 2008

Commission Position – Support

This bill expands eligibility for the State Nursing Assumption Program of Loans for Education (SNAPLE) program and makes other changes to this program. This bill was signed into law by the Governor on July 22, 2008.

Workforce Development

SB 1393 (Scott), as amended June 9, 2008

Commission Position – Watch

This bill tightens restrictions on which courses CSU and the community colleges can require nursing students who have bachelor's degrees from a regionally accredited institution to take. This bill was signed into law by the Governor on July 22, 2008.

Other Areas

AB 2296 (Mullin), as amended August 21, 2008

Commission Position – Support

This bill prohibits identifying academic researchers or their family members with the intent that the information be used for violence or threats of violence against those persons. The bill also revises criminal trespass laws. This bill was signed into law by the Governor on September 28, 2008.

AB 2517 (Portantino), as amended July 2, 2008***Commission Position – Support***

This bill would establish the educator credentialing demonstration project to encourage the development of educator preparation programs provided by school districts, county offices of education, community-based organizations, and nongovernmental organizations. This bill did not make its policy committee deadline.

SB 1679 (Scott), as amended June 5, 2008***Commission Position – Support***

This bill relates to the California State Lottery and the allocation of revenues collected through the State Lottery. This bill did not make its policy committee deadline.

Newly Elected Legislators

On November 4, 2008, voters elected representatives in all 80 Assembly districts and 20 of the 40 Senate districts. Sixty-two incumbents were re-elected to a second or third term. Below are brief summaries of members' interests in education issues.

State Senate

District 3 (San Francisco) former Assemblymember Marc Leno: Senator Leno was the Chair of the Assembly Appropriations Committee and was extensively involved in K-12 education. He authored numerous laws affecting foster youth and one providing supplemental instruction funding for K-12 schools. Senator Leno is also an advocate for improved access to affordable higher education.

District 5 (San Joaquin) former Assemblymember Lois Wolk: Senator Wolk's education interests are primarily in K-12 education. In the Assembly, she sponsored legislation to establish the Principal Training Program that provides intensive professional development in management and standards-based instructional leadership to high school principals.

District 19 (Santa Barbara) former Assemblymember Tony Strickland was ahead by 0.4% of the vote as of November 24: Senator Strickland was involved in several K-12 education issues while in the Assembly.

District 21 (Pasadena) former Assemblymember Carol Liu: As Chair of the Higher Education Committee in the Assembly, Senator Liu authored legislation designed to improve career and technical education programs at high schools. She also worked to lower the costs of college textbooks and to provide college loan forgiveness to members of the National Guard.

District 23 (Ventura) former Assemblymember Fran Pavley: Senator Pavley's education interests were mostly in K-12 education as a member of the Assembly Education Committee.

District 25 (Los Angeles) former Assemblymember Roderick Wright: Senator Wright authored several bills dealing with private proprietary and vocational schools while in the Assembly.

District 29 (San Bernardino) former Assemblymember Robert Huff: Senator Huff worked on K-12 education issues in the Assembly, including authoring legislation that increased funding for public charter schools.

District 33 (Orange) former Assemblymember Mimi Walters: Senator Walters was the Vice-Chair of the Assembly Appropriations Committee. She focused on K-12 education issues.

District 37 (Riverside) former Assemblymember John Benoit: Senator Benoit's education interests involved assuring that sufficient funding is provided to lower wealth K-12 and community college districts (equalization) and in improving efficiency in educational services.

State Assembly

District 1 (Humboldt) former Senator Wes Chesbro: Assemblymember Chesbro served on the Education committee while serving in the California State Senate. He also chaired the Senate Budget Committee.

District 2 (Shasta) former Senator Jim Neilsen: Assemblymember Neilsen served in the State Senate in from 1978 through 1990. He served on many committees, with a focus on agriculture and criminal justice issues. He also maintains a strong interest in higher education issues.

District 3 (Butte) Dan Logue: Assemblymember Logue served as the Vice Chair of Yuba County Board of Supervisors. His interests are mainly focused on K-12 education issues. He supports improved educational outcomes and greater local control of schools.

District 8 (Solano) Mariko Yamada: Assemblymember Yamada served on the Yolo County Board of Supervisors. She supported improving K-12 education and providing support services to schools and families.

District 10 (San Joaquin) Alyson Huber: Assemblymember Huber is new to elected office. She supports increasing state funding for financial aid to help make college more affordable.

District 11 (Contra Costa) former Senator Tom Torlakson: Assemblymember Torlakson served as Chair of the Senate Appropriations Committee, and served on the Education, Transportation, and Housing committees. A former K-12 school teacher, his interests have been in both K-12 and higher education.

District 13 (San Francisco) San Francisco County Supervisor Tom Ammiano: Assemblymember Ammiano was a K-12 teacher and school board president. He helped to sponsor the “Great Schools” amendment to the city charter, which added \$300 million to the city’s public school funding.

District 14 (Berkeley) East Bay Regional Parks Board Member Nancy Skinner: Assemblymember Skinner was a PTA leader in Berkeley and worked on various K-12 issues. She also served for eight years as Executive Director of the Graduate Assembly, UC Berkeley’s independent graduate student government.

District 15 (Contra Costa) former San Ramon Valley School Board Member Joan Buchanan: Assemblymember Buchanan’s work in education centered mainly on K-12 schools.

District 19 (San Mateo) San Mateo County Supervisor Gerald Hill: Assemblymember Hill is interested in K-12 education. He supports education reforms that will reduce the achievement gap. He also supports preparing more Californians for careers in science.

District 22 (Santa Clara) Paul Fong: Assemblymember Fong was a professor and a Trustee of the Foothill-DeAnza Community College District. He supports improving college opportunities and better preparation of students for entry into the workforce.

District 26 (Stanislaus) Bill Berryhill: Assemblymember Berryhill was a school board member. He is a central valley farmer and former board member of the Ceres Unified School District Board of Trustees. His educational interests focus on K-12.

District 27 (Santa Cruz) Bill Monning: Assemblymember Monning’s interests in higher education include improving access for lower- and middle-income families by increasing financial aid and keeping college costs low in order to reduce fee increases. He has advocated for resources to support inter-institutional research and educational opportunities.

District 29 (Fresno) Danny Gilmore: Assemblymember Gilmore supports improved K-12 education performance and expanded career and technical education opportunities for high school students.

District 34 (Tulare) Connie Conway: Assemblymember Conway was a Tulare County Supervisor. She is past state president of the Cities, Counties and Schools Partnership and chairs the California Partner-

District 34 (Tulare) Connie Conway: Assemblymember Conway was a Tulare County Supervisor. She is past state president of the Cities, Counties and Schools Partnership and chairs the California Partnership for the San Joaquin Valley, a group of public and private sector leaders who work to improve the state's economy and quality of life.

District 36 (Los Angeles) Steve Knight: Assemblymember Knight was a city councilman in Palmdale.

District 40 (Los Angeles) Bob Blumenfield: Assemblymember Blumenfield was a political advisor to Congressman Howard Berman and has been active for two decades in various San Fernando Valley organizations.

District 46 (Los Angeles) John Perez: Assemblymember Perez's interests are on K-12 education issues. He also supported passage of the higher education Dream Act.

District 52 (Compton) Isadore Hall: Assemblymember Hall was the former City of Compton Mayor Pro Tem and Councilman.

District 54 (Los Angeles) Bonnie Lowenthal: Assemblymember Lowenthal served on the Long Beach City Council and as a member of the Long Beach Unified School District Board of Education. She has had an interest primarily in K-12 education issues. She taught at universities in Mexico for more than a year before her service in local government.

District 60 (Los Angeles) Curt Hagman: Assemblymember Hagman was a Councilmember and Mayor of the City of Chino Hills.

District 61 (San Bernardino) Norma Torres: Assemblymember Torres was the mayor of Pomona. She has an interest in K-12 education issues. She supports encouraging more young people to become teachers, and improving funding for mentoring, after school, and other academic support programs.

District 64 (Riverside) Brian Nestande: Assemblymember Nestande was a Riverside County Commissioner. His interests in education include improving K-12 workforce development.

District 71 (Orange) Jeff Miller: Assemblymember Miller was the mayor of Corona and a former Corona City Councilmember.

District 73 (Orange) Diane Harkey: Assemblymember Harkey was a Councilmember and former Mayor of Dana Point. She has advocated for greater local control and school accountability for K-12 schools.









District 75 (San Diego) Nathan Fletcher: Assemblymember Fletcher was a San Diego-area businessman. He has advocated for improved accountability in K-12 education.

District 78 (San Diego) Martin Block: Assemblymember Block has an extensive background in K-12 and higher education. He was a member of the San Diego Community College District Board of Trustees and the San Diego County Board of Education. He served on the faculty of San Diego State University for 26 years.

District 80 (Riverside) Manuel Perez: Assemblymember Perez is a Coachella School Board Trustee. He has participated locally with education advocates for greater affordability and access to higher education, and improved linkages between postsecondary education and workforce development.

MATRIX 2007-2008 LEGISLATIVE - PRIORITY BILLS
updated as of 11/18/2008

Bill Number	Author	Subject	CPEC Position	Dead/2 YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chapered	Comments
AB 1821	Brownley	Public post-secondary education: reporting requirements.	Support Position Letter	Vetoed													09/28/2008-Vetoed by Governor
AB 2260	Committee on Higher Education	Postsecondary education.	Support Position Letter	Chapered													08/01/2008-Chaptered by the Secretary of State, Chapter Number 235, Statutes of 2008
AB 2261	Ruskin	Community colleges: open education resources centers.	Support Position Letter	Chapered													09/30/2008-Chaptered by Secretary of State - Chapter 671, Statutes of 2008.
AB 2296	Mullin	Academic research.	Support Position Letter	Chapered													09/28/2008-Chaptered by the Secretary of State, Chapter Number 492, Statutes of 2008
AB 2517	Portantino	Teacher credentialing.	Watch	Dead													08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 08/05/2008)
SB 325	Scott	Postsecondary education: Educational and Economic Goals for California Higher Education.	Support Position Letter	Vetoed													09/28/2008-Vetoed by Governor
SB 361	Scott	Postsecondary education: California Postsecondary Education Commission.	Support Position Letter	Chapered													09/28/2008-Chaptered by the Secretary of State, Chapter Number 514, Statutes of 2008
SB 823	Perata	California Private Postsecondary Education Act of 2008.	Watch	Vetoed													09/30/2008-Vetoed by the Governor
SB 890	Scott	Pupils: Early Commitment to College program.	Watch	Chapered													09/28/2008-Chaptered by the Secretary of State, Chapter Number 472, Statutes of 2008
SB 1158	Scott	Student financial aid: Assumption Program of Loans for Education.	Support Position Letter	Chapered													09/28/2008-Chaptered by the Secretary of State, Chapter Number 516, Statutes of 2008

SB 1301	Cedillo	Student financial aid: institutional financial aid eligibility.	Support Position Letter	Vetoed 	09/30/2008-Vetoed by the Governor
SB 1355	Corbett	Postsecondary education: private student loans.	Support - Sponsor Position Letter	Vetoed 	09/30/2008-Vetoed by the Governor
SB 1393	Scott	Nursing programs.	Watch	Chaptered 	07/22/2008-Chaptered by the Secretary of State, Chapter Number 175, Statutes of 2008
SB 1437	Padilla	Education technology: California Virtual Campus: pupils of public high schools: community college enrollment.	Support Position Letter	Chaptered 	09/30/2008-Chaptered by the Secretary of State, Chapter Number 718, Statutes of 2008
SB 1457	Steinberg	Golden State Scholarshare Trust Act: CalSAVE program.	Support Position Letter	Chaptered 	09/28/2008-Chaptered by the Secretary of State, Chapter Number 474, Statutes of 2008
SB 1585	Padilla	California Community Colleges: transfer students.	Support Position Letter	Vetoed 	09/28/2008-Vetoed by Governor
SB 1621	Ashburn	Nursing education.	Support Position Letter	Chaptered 	07/22/2008-Chaptered by the Secretary of State, Chapter Number 183, Statutes of 2008
SB 1679	Florez	California State Lottery: California Higher Education Endowment Act.	Support	Dead 	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was G.O. on 06/05/2008)